



Civil Rights Division

Housing and Civil Enforcement Section

SSM:RTH:LKW:EHS:KAR:mf
DJ 175-50-62

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December 26, 2018

By Electronic Court Filing

Hon. Therese W. Dancks
U.S. Magistrate Judge
Federal Building and U.S. Courthouse
P.O. Box 7346
Syracuse, NY 13261-7346

Re: *United States v. Waterbury, et al.*, 5:18-cv-440 (MAD/TWD);
CNY Fair Housing, Inc. et al. v. Douglas Waterbury, et al.,
5:17-cv-868 (MAD/TWD)

Dear Judge Dancks:

The lapse in appropriations for the Department of Justice that began at midnight on December 21, 2018, requires that counsel for the United States in this matter cease all work on behalf of the federal government until Congress provides funding for the Department of Justice's operations. The Department does not know when funding will be restored by Congress. Absent appropriations, Department of Justice attorneys and other employees are prohibited from working, even on a voluntary basis, except in very limited circumstances, including "emergencies involving the safety of human life or the protection of property." 31 U.S.C. § 1342.

Pursuant to this Court's Text Order dated December 7, 2018 (Dkt. No. 38), Plaintiffs must serve on Defendants all information received in response to subpoenas issued in this case by January 4, 2019. In light of the government shutdown, we respectfully request that the Court extend this deadline until January 24, 2019, or two weeks after the resumption of Department of Justice activities, whichever is later. If this request for a stay is granted, the undersigned counsel will notify the Court promptly after Congress has appropriated funds for the Department.

The United States has conferred with Defendants' counsel, who consents to this request, as does counsel for plaintiffs in the related suit. We regret any inconvenience caused to the Court and the other litigants as a result of this disruption in civil litigation functions.

Respectfully Submitted,

Sameena Shina Majeed
Chief

By: *Lori K. Wagner*

Lori K. Wagner
Senior Trial Attorney
Housing and Civil Enforcement Section

cc: All Counsel, via ECF